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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 MOHAMMED HOSSAIN,

14 Defendant.

CASE NO. 2:13-cr-00119-GMN-GWF

**MOTION FOR CLARIFICATION
REGARDING JUDGMENT (DKT.
NO. 90) AND ORDER THEREON**

Sentencing Hearing: May 28, 2015
10:00 a.m.

15 Defendant Mohammed Hossain (“Mr. Hossain”), by and through his counsel
16 of record, Kathleen Bliss, Esq. of the law firm of Lewis Brisbois Bisgaard & Smith
17 LLP, respectfully moves the Court for an order correcting the amount of restitution
18 ordered in this case to Wells Fargo.

19 On May 28, 2015, this Court sentenced Mr. Hossain to a sentence of time
20 served, a fine of \$100.00 (one hundred dollars), and restitution to Wells Fargo in the
21 amount of \$175,000. The restitution amount of \$175,000 was based upon the
22 Court’s finding at the sentencing hearing. The government failed to prove, by a
23 preponderance of the evidence, that Mr. Hossain owed the \$186,773.55 amount
24 claimed by the government.

25 On June 1, 2015, this Court issued its Judgment (Docket “Dkt.” No. 90). On
26 page 5, the judgment shows that Mr. Hossain owes \$175,000 as restitution to Wells
27 Fargo, however, on page 7, the judgment shows that Mr. Hossain owes \$186,773.55
28

1 as restitution to Wells Fargo. (Dkt. No. 90 at 5, 7). Mr. Hossain believes that the
2 error is based on a submission by the government prior to the Court's final order.
3 As such, it is merely a clerical error inadvertently made in the written judgment.
4 Mr. Hossain thus respectfully requests that the Court correct, pursuant to Fed. R.
5 Crim. P. 35 (a), Dkt. No. 90 (specifically, page 7) to reflect the correct amount of
6 restitution (\$175,000.00) that Mr. Hossain must pay to Wells Fargo.

7 DATED this 1st day of June 2015.

8 Respectfully submitted,

9 LEWIS BRISBOIS BISGAARD & SMITH LLP
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13 By /s/ Kathleen Bliss, Esq.

14 KATHLEEN BLISS, ESQ.

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19 Attorneys for Defendant Mohammed
20 Hossain

21 **IT IS SO ORDERED.**

22 
23 Gloria M. Navarro, Chief Judge
24 United States District Court

25 DATED: 06/19/2015.
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CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I certify that I am an employee of , and that on this 1st day of June, 2015, I did cause a true copy of

MOTION FOR CLARIFICATION REGARDING JUDGMENT (DKT. NO. 90)

to be served via electronic service by the U.S. District Court CM/ECF system to the parties on the Electronic Filing System.

By /s/ Krystle Platero

An Employee of
LEWIS BRISBOIS BISGAARD &
SMITH LLP